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FROM: James J. Mullen III, Ph.D. - Reg. No. 44,957 DATE: April 18, 2005

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Comments:

ATTORNEY DOCKET: 511582003500
GROUP ART UNIT: 1642
EXAMINER: A. Harris
SERIAL NO.: 09/809,638
FILING DATE: March 14, 2001
INVENTOR(S): Mary FARIS et al.
TITLE: 125P5C8: A TISSUE SPECIFIC PROTEIN HIGHLY EXPRESSED IN VARIOUS CANCERS

Papers attached:

1. Transmittal (1 page)
2. Fee Transmittal (1 page + duplicate for fee processing)
3. Amendment After Final Action (37 C.F.R. Section 1.116) (4 pages)
4. Terminal Disclaimer (1 page)

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SD-255529

PTO/SB/21 (09-04)

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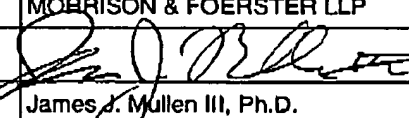
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<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	09/809,638
		Filing Date	March 14, 2001
		First Named Inventor	Mary FARIS
		Art Unit	1642
		Examiner Name	A. Harris
Total Number of Pages in This Submission	9	Attorney Docket Number	511582003500

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (1 page + duplicate for fee processing) <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (4 pages) <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer (1 page) <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile coversheet (1 page)
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Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	James J. Mullen III, Ph.D.		
Date	April 18, 2005	Reg. No.	44,957

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Dated: April 18, 2005

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PTO/SB/17 (12-04v2)
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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Complete if Known	
		Application Number	09/809,638
		Filing Date	March 14, 2001
		First Named Inventor	Mary FARIS
		Examiner Name	A. Harris
		Art Unit	1642
TOTAL AMOUNT OF PAYMENT		(\$)	65.00
		Attorney Docket No.	511582003500

METHOD OF PAYMENT (check all that apply)

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 Deposit Account Name: Morrison & Foerster LLP

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 ☒ Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	0.00
Design	200	100	100	50	130	65	0.00
Plant	200	100	300	150	160	80	0.00
Reissue	300	150	500	250	600	300	0.00
Provisional	200	100	0	0	0	0	0.00

2. EXCESS CLAIM FEES

Fee Description	Small Entity Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
59	- 59 = 0	x 25.00	= 0.00			
					125.00	0.00

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
8	- 8 = 0	x 100.00	= 0.00

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50	(round up to a whole number) x	125.00	0.00

4. OTHER FEE(S)

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	0.00
Other (e.g., late filing surcharge): 2814 Statutory Disclaimer	65.00

SUBMITTED BY

Signature	Registration No. (Attorney/Agent)	44,957	Telephone	(858) 720-7940
Name (Print/Type)	James J. Mullen III, Ph.D.		Date	April 18, 2005

sd-255524

PTO/SB/17 (12-04v2)

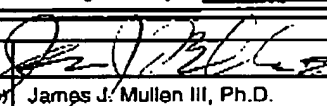
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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4878).		Complete if Known	
FEE TRANSMITTAL		Application Number	09/809,638
For FY 2005		Filing Date	March 14, 2001
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		First Named Inventor	Mary FARIS
		Examiner Name	A. Harris
<input type="checkbox"/> TOTAL AMOUNT OF PAYMENT (\$). 65.00		Art Unit	1642
		Attorney Docket No.	511582003500

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>03-1952</u> Deposit Account Name: <u>Morrison & Foerster LLP</u>	
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<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	0.00
Design	200	100	100	50	130	65	0.00
Plant	200	100	300	150	160	80	0.00
Reissue	300	150	500	250	600	300	0.00
Provisional	200	100	0	0	0	0	0.00
							Small Entity
Fee Description							Fee (\$)
Each claim over 20 (including Reissues)							50
Each independent claim over 3 (including Reissues)							200
Multiple dependent claims							360
							180
<u>Total Claims</u>		<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>		
59		- 59 = 0	x 25.00 =	0.00	<u>Fee (\$)</u>		<u>Fee Paid (\$)</u>
					125.00		0.00
<u>Indep. Claims</u>		<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>			
8		- 8 = 0	x 100.00 =	0.00			
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>			
	- 100 =	150	(round up to a whole number) x 125.00 =	0.00			
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)							0.00
Other (e.g., late filing surcharge): 2814 Statutory Disclaimer							65.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	44,957
Name (Print/Type)	James J. Mullen III, Ph.D.	Telephone	(858) 720-7940
		Date	April 18, 2005

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Dated: April 18, 2005

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(Grace F. [illegible])

Docket No.: 511582003500
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Mary FARIS et al.

Art Unit: 1642

Application No.: 09/809,638

Examiner: A. Harris

Filed: March 14, 2001

**AFTER FINAL, EXPEDITED
PROCEDURE --
EXAMINING GROUP 1642**

For: 125P5C8: A TISSUE SPECIFIC PROTEIN
HIGHLY EXPRESSED IN VARIOUS
CANCERS

AMENDMENT AFTER FINAL ACTION (37 C.F.R. SECTION 1.116)

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This is in response to the final Office Action dated February 16, 2005, for which a response is due on May 16, 2005. This response is filed within two months of the issuance of the final Office Action, April 16th being a Saturday, and therefore qualifies for expedited review. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 3 of this paper.

sd-247417